

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN ALLEN MAZURAK,

Plaintiff,

No. CIV S- 03-2114 GEB GGH P

vs.

CA. DEPT. OF JUSTICE, et al.,

Defendants.

ORDER

Plaintiff, a state prisoner proceeding pro se, has been proceeding in an action pursuant to 42 U.S.C. § 1983, filed in this court on October 7, 2003.¹ Plaintiff proceeds against defendants Bill Lockyer, the Attorney General of California, and Robert Santos, Assistant Manager of the California Bureau of Criminal Identification and Information (BCII).² The gravamen of his complaint, wherein he seeks both money damages and injunctive relief, is that defendants, despite being made aware of erroneous information in plaintiff's criminal records, have failed to purge the inaccuracies from his arrest and conviction record in violation of his

¹ The complaint was transferred to this court from the U.S. District Court of Arizona by order filed on September 23, 2003.

² The California Department of Justice was dismissed with prejudice as a defendant by order filed on January 20, 2004.

1 constitutional rights, including his right to a fair trial and his right to due process.

2 Almost two years after filing this action and placing his criminal record at issue,
3 plaintiff seeks to have the court “keep all pleadings, procedures confidential due to the nature of
4 the subject matter of this case,” incompletely citing state law code sections. See filing of August
5 22, 2005;³ duplicate request filed on September 16, 2005. Plaintiff’s request to have this federal
6 court place this matter under seal retroactively, purportedly based on state law, will be denied
7 because it is insufficiently supported, overbroad, belated and otherwise inappropriate.

8 Accordingly, IT IS ORDERED that plaintiff’s request, filed on
9 on September 16, 2005, which the court will construe as a request to place this matter under seal,
10 is denied.

11 DATED: 10/11/05

12 /s/ Gregory G. Hollows

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14 GREGORY G. HOLLOWS
15 UNITED STATES MAGISTRATE JUDGE

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26 ³ Plaintiff’s August 22, 2005 request has already been denied without prejudice due to his
failure to demonstrate proper service of the motion. See Order, filed on September 7, 2005.